

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

MARCUS CULVER

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No. 3:14-cr-00043
JUDGE HAYNES

On PSL
This motion
is CERTIFIED
U.S.A.
9-26-14

MOTION TO LATE-FILE EXHIBITS TO SENTENCING MEMORANDUM

Comes now undersigned counsel, on behalf of the Defendant, and hereby moves this Court to allow him to late-file two exhibits to his sentencing memorandum previously filed (docket entry 54), because they were inadvertently omitted from the earlier filing. Specifically, the sentencing memorandum references two versions of the Defendant's statement to law enforcement, and claims that the statements are attached (*see id.* at page 3) Upon closer inspection, however, it is apparent that the statements are not attached to the memorandum. This was an oversight by undersigned counsel, and was unintentional. Counsel does not believe that the late acceptance by this Court would prejudice the Government, as the statements were provided in discovery

Respectfully submitted,

s/ Patrick G. Frogge
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion was filed electronically to Assistant U.S. Attorney Bill Abely Suite A-961, 110 Ninth Avenue, South, Nashville, Tennessee 37203 on this the 26st day of September, 2014.

s/Patrick G. Frogge
PATRICK G. FROGGE